

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY	)	
COMMISSION,	)	
	)	
Plaintiff,	)	
	)	
and	)	
	)	
AHMET DEMIRELLI,	)	
	)	
Plaintiff-Intervener	)	
	)	
v.	)	No. 4:04CV00846CAS
	)	
CONVERGYS CUSTOMER	)	
MANAGEMENT GROUP INC. ,	)	
	)	
Defendant.	)	

**DEFENDANT CONVERGYS CUSTOMER MANAGEMENT GROUP INC.'S**  
**MOTION FOR SUMMARY JUDGMENT**

COMES NOW Defendant Convergys Customer Management Group Inc. (“Convergys”), and pursuant to Rule 56 of the Federal Rules of Civil Procedure, moves for summary judgment in its favor on all issues raised in the Complaints of Plaintiff Equal Employment Opportunity Commission (“EEOC”) and Plaintiff-Intervener Ahmet Yigit Demirelli (“Demirelli”). This motion is based upon the Memorandum in Support of this Motion and a Statement of Undisputed Facts filed herewith setting forth the facts and law that support the granting of the instant Motion, together with the documentary evidence and deposition testimony attached to the Memorandum all of which are incorporated herein by reference.

Specifically, Convergys moves for summary judgment because (a) Plaintiff is not qualified, with or without reasonable accommodation; (b) Convergys’s dismissal of Plaintiff was legitimate and non discriminatory and the facts surrounding Demirelli dismissal do not create an

inference of discrimination. Furthermore, even if Plaintiff could state a claim of disability discrimination, which he cannot, he is not entitled to the remedies sought, including backpay, frontpay, emotional distress damages and/or punitive damages.

WHEREFORE, for the foregoing reasons, and the reasons more fully stated in Convergys' Memorandum in Support of its Motion for Summary Judgment, Convergys respectfully requests this Court dismiss Plaintiff's complaint and Plaintiff-Intervener's complaint with prejudice.

Respectfully submitted,

THOMPSON COBURN LLP

By           /s/ Laura M. Jordan            
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Attorneys for Defendant, Convergys Customer  
Management Group Inc.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing Motion for Summary Judgment was served electronically with the Clerk of the Court this 30th day of September, 2005 to be served by operation of the Court's electronic filing system upon Barbara Seeley, Equal Employment Opportunity Commission 1222 Spruce Street, Room 8.100, St. Louis, MO 63103 and via first class U.S. mail, postage prepaid, to Michael Fagras, Attorney for Ahmet Demerelli, 4700 Mexico Road, St. Peters, MO 63304.

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/s/ Laura M. Jordan